

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Applicant:	Sendyne Corporation	Examiner:	Martin, Angela J.
Serial No.:	10/528,513	Group Art Unit:	1795
Filing Date:	January 15, 2004	Confirmation No.:	4366
Title:	Fuel Supply Method for Direct Methanol Fuel Cell	Attorney Docket No.	SNDN.P-002-USNP

**NOTICE OF OVERPAYMENT OF PREVIOUS APPEAL-BRIEF FILING FEE**

The Applicant has reinstituted its Appeal with the Board, and while calculating its filing fee due for a reinstated appeal pursuant to MPEP § 1204.01, the undersigned discovered that the Applicant had inadvertently paid its previous fee based on a large-entity status when the Applicant has and continues to enjoy a small-entity status. Consequently, On May 23, 2008, instead of paying only the \$255.00 fee due, the Applicant erroneously paid \$510.00 in fees to file its Appeal Brief.

Now that the Applicant has reinstated its appeal, the fee due should be the difference between the previous fee already paid and the updated fee due according to the 2009 schedule of fees. Had the Applicant paid the small-entity fee on May 23, 2008, then the Applicant would owe an additional \$15.00 for the present filing of the Applicant's Appeal Brief. However, because of the inadvertent overpayment on May 23, 2008, the Applicant has over paid for the present Appeal Brief filing by \$240.00.

Although it is too late pursuant to 37 CFR § 1.28 for the Applicant to request a refund of the entire overpayment, the Applicant does request that the overpayment be recognized as a proper payment of the remaining fee due (\$15.00) for the filing of the present Appeal Brief.

Respectfully submitted,

\_\_\_\_\_  
/s/

Terrence M. Wyles, USPTO Reg. 61,035  
Oppedahl Patent Law Firm LLC  
P.O. Box 4850  
Frisco, CO 80443-4850  
970-468-8600